

Jury demand date:

TITLE OF CASE

ATTORNEYS

vs.

Donald H. Webb and Kenna J. Webb

For plaintiff: ~~John Street~~ 585-8181
Gomer A. Evans, Jr.,
Coffey, Lassiter & Oliver
4th National Bank Building
Tulsa, Oklahoma 585-8181

~~John Street~~
~~Suite 512~~
~~Center Office Bldg.~~
~~630 W. 7th~~
~~Tulsa, 74127~~
~~584-4431~~

Alfred B. Knight 584-6458
212 Beacon Building
Tulsa, Oklahoma 74103

Jay C. Baker (Intervenors) 587-1168
Mayo Building
Tulsa, Oklahoma 74103

STATISTICAL RECORD	COSTS			DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 11-1-70	Clerk			1970 10-23	Knight	15 00	
				10-29	C.D.No. 20		15 00
J.S. 6 mailed 6-1-72	Marshal						
Basis of Action: Recover on fire insurance contract	Docket fee						
	Witness fees						
Action arose at: Catoosa	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-23-70	Petition for removal from the District Court of Rogers County, State of Oklahoma, filed. b	
10-23-70	Bond on removal, filed - in the amount of \$500.00, filed - Surety - the Standard Fire Insurance Company. b	
10-23-70	Notice of filing of petition and bond on removal by defendant, filed. b	
10-23-70	Answer of the defendant, filed. b	
10-27-70	Acknowledgment by Clerk of District Court of removal, filed. g	
11-10-70	Notice of Levy on Wilma Curtis Flemings of \$1,156.40 by U. S. Treasury, filed. b	
11-10-70	Notice of Levy on Wilma Curtis Flemings of \$1,832.20 by U. S. Treasury, filed. b	
12-3-70	Motion for summary judgment and motion to dismiss, of defendants, filed. ds	
12-3-70	Brief in support of motion for summary judgment and motion to dismiss, filed. ds	
12-3-70	Ordered by the Court that plaintiff reply to defendant's motion for summary judgment and motion to dismiss with a responsive brief within ten days of this date. (AEB-J) ds	
12-10-70	Request for admission of facts filed by the deft. filed. v	
12-14-70	Plaintiff's Response brief to the Defendant's Motion for Summary Judgment and Motion to Dismiss. Filed. v	
12-30-70	Answer of plaintiff to Defendant's motion for summary judgment filed. h	
1-6-71	Reply Brief of the Aetna Casualty and Surety Co., filed. r	
4-20-71	Motion to intervene of Donald H. Webb and Kenna J. Webb, filed. m	
4-20-71	Brief in support of motion to intervene, filed. m	
4-20-71	Ordered that parties file responsive brief within 10 days to motion to intervene. (AEB-J)m	
4-23-71	Responsive answer to motion to intervene, filed by deft. m	
5-13-71	Plaintiffs' responsive answer to motion to intervene, filed. g	
6-11-71	Order allowing Donald H. Webb and Kenna J. Webb as parties plaintiff, filed. (AEB-J) ds <i>copies to atty &</i>	
6-11-71	Complaint in intervention, filed. m	
8-4-71	Court order that Magistrate hear Motion for summary judgment and the motion to dismiss of Defts. (AEB-J)V	
8-4-71	Hearing on motion for summary judgment and motion to dismiss of Defts. held. Arguments made and motions were each denied. Also, at the request of Pltff. the Court grants parties 45 days in which to complete discovery and case will be ready for pre-trial. (MLB-Mag)v	
8-25-71	Interrogatories filed by defendant. h	
8-30-71	Order that deft's motion to dismiss and deft's motion for S/J are both overruled, filed. (AEB-J)m (copies mailed)	
10-13-71	Depositions of Wilma Flemings and C.W. Flemings on behalf of the Deft. taken before Loyd J. Christesson, on the 14th of Sept., 1971, with fees of \$56.00, filed. v	
10-29-71	Answers to Interrogatories, answered by the Plaintiffs, filed. v	
12-8-71	Parties directed to hold pre-trial prior to 1-12-72 and file pre-trial order not later than 1-19-72. (AEB-J)m	
1-3-72	Deposition of Jerry J. Wilson and Jack R. Mendenhall, on behalf of the Pltff., taken before Loyd J. Christesson, on 11-22-71 with fees of \$23.00, filed. v	
1-20-72	Pre-trial order, filed. (AEB-J) rm <i>copies mailed</i>	
3-21-72	Application to file amendment to answer, filed. hm	
3-21-72	Amendment to answer, with leave granted to file out of time, filed. (AEB-J)hm	

(Continued)

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-21-72	Case set for non-jury trial 4-3-72 at 10:00 a.m. (AEB-J)hm	
3-31-72	U.S. Marshals Service, Return on Five (5) Subpoenae, filed. v	
3-31-72	Motion to withdraw as counsel of record, filed. hm <i>copy to Judge in order</i>	
4-3-72	Ordered by the Court that this case be stricken from the N/J docket of 4-3-72 and be reset for N/J on April 11, 1972 at 10:00 A.M. (AEB-J)v	
4-7-72	Affidavit of John Street in support of motion to withdraw as counsel of record, filed. rm (copy to Marilyn)	
4-10-72	Order, filed, that John Street is allowed to withdraw as counsel for pltf. (AEB-J)hm (copies mailed)	
4-11-72	Case called for Non-Jury Docket. Parties present and represented. Parties are granted 3 days to file briefs-Court will rule summarily. (AEB-J)v <i>exhibits in file</i>	
4-14-72	Memorandum Brief of the Deft., filed. v -copy to Judge by request of Deft.	
4-14-72	Brief in response to def.'s mo. for SJ, filed. rm - copy to Judge	
4-24-72	Ordered by the Court that parties are to file proposed Findings & Conclusions within 5 days, (AEB-J)r (attys notified by letter)	
5-1-72	Proposed Findings & Conclusions, filed by pltf. rm	
5-1-72	Proposed Journal Entry of Judgment by pltf., filed, rm <i>copies to Marilyn</i>	
5-8-72	Proposed Findings & Conclusions of intervenors, filed. rm	
5-10-72	Findings of Fact & Conclusions of Law, filed. (AEB-J)r	
5-10-72	Judgment filed. Ordered that Judgment be entered in favor of Pltfs and against the deft in sum of \$15,750.00 plus interest at rate of 10% per annum until paid. Filed and Entered. (AEB-J)r (Copies mailed)	
5-17-72	Motion of def. for order of Ct. to release and satisfy judgment, filed. rm	
5-25-72	Order filed, that Clerk deposit the sum of \$15,750.00 to this case, and execute release and satisfaction of judgment, filed. (AEB-J) ds <i>copy to m</i>	
5-25-72	Release and satisfaction of judgment, filed. (JHP-Cl) ds copies mailed to attorneys of record.	
6-19-72	Objection of Donald H. Webb and Kenna J. Webb, Intervenors to distribution of funds and Motion for judgment, filed. g	
6-19-72	Pltf. directed to file responsive brief to Objection of Intervenors and motion for judgment. (AEB-J)g	
6-29-72	Response brief to the objection to the distribution of funds filed by by plaintiffs. h <i>order to Marilyn</i>	
8-3-72	Brief answering response brief of plaintiff, filed. ds (Intervenors' brief)	
8-4-72	Objection to Response Brief, filed by the Plaintiff. v	
8-28-72	Ordered that Magistrate conduct hearing on intervenor's objections to distribution of funds & motion for judgment. (AEB-J)hm	
8-28-72	Hearing held on above objections. Pltf. & Intervenor represented. Hearing passed to procure additional information, to be reset at later date. (MLB-Mag)hm	
9-1-72	Excerpt of transcript of proceedings had on 4/11/72, filed. rm (L.Marks-CR)	
9-13-72	It is recommended by Mag. that intervenors' objections to distribution of funds and intervenors' motion for judgment be sustained. Counsel for intervenors to prepare findings & recommendations with 5 days. (MLB-Mag)hm (see copy of letter in file to counsel from MLB)	
9-19-72	Findings and recommendations of Magistrate on intervenors objection to distribution of funds and motion for judgment, filed. (MLB-Mag)hm (copies mailed)	
9-29-72	Objections to Findings & Recommendations of Magistrate on intervenors obj. to distribution of funds & Motion for Judgment, filed. r	

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-4-72	Brief in support of objections to findings and recommendations of magistrate on intervenors objection to disbursement of funds and motion for judgment, filed. h	
10-6-72	Order overruling objections to F & R of Magistrate filed by plaintiffs, filed. (AEB-J)hm (copies mailed)	
1-23-73	Order nunc pro tunc, filed, that order entered on 10-6-72 is corrected to allow distribution of funds on deposit as follows: the sum of \$13,904.83 to Donald H. Webb and Kenna J. Webb; the balance of the fund on deposit to the IRS to be applied on said tax levy. (AEB-J)hm (copies mailed)	